

# REISSUE LITIGATION

03/18/02

X/Reissue

Please type a plus sign (+) inside this box → ☐

PTO/SB/50 (02-01)

Approved for use through 01/31/2004. OMB 0651-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## REISSUE PATENT APPLICATION TRANSMITTAL

Address to:

Assistant Commissioner for Patents  
Box Reissue  
Washington, DC 20231

Attorney Docket No.	8588.12RE
First Named Inventor	William A. Elmer
Original Patent Number	5,711,100
Original Patent Issue Date (Month/Day/Year)	1/27/98
Express Mail Label No.	EL 768 537 763

APPLICATION FOR REISSUE OF:  
(Check applicable box)



Utility Patent



Design Patent



Plant Patent

### APPLICATION ELEMENTS (37 CFR 1.173)

- ☒ Fee Transmittal Form (PTO/SB/56)  
(Submit an original, and a duplicate for fee processing)
- ☒ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Specification and Claims in double column copy of patent format (amended, if appropriate)
- ☐ Drawing(s) (proposed amendments, if appropriate)
- ☒ Reissue Oath/Declaration (original or copy)  
(37 C.F.R. § 1.175) (PTO/SB/51 or 52)
- ☒ Power of Attorney
- Original U.S. Patent currently assigned? ☐ Yes ☒ No  
(If Yes, check applicable box(es))  
☐ Written Consent of all Assignees (PTO/SB/53)  
☐ 37 C.F.R. § 3.73(b) Statement (PTO/SB/96)
- ☐ CD-ROM or CD-R in duplicate, Computer Program (Appendix) or large table
- Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all of the following are necessary)
  - ☐ Computer Readable Form (CFR)
  - Specification Sequence Listing on:
    - ☐ CD-ROM (2 copies) or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

### ACCOMPANYING APPLICATION PARTS

- ☐ Statement of status and support for all changes to the claims. See 37 CFR 1.173 (c).
- ☐ Original U.S. Patent for surrender  
☐ Ribboned Original Patent Grant  
☐ Statement of Loss (PTO/SB/55)
- ☐ Foreign Priority Claim (35 U.S.C. 119)  
(if applicable)
- ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
- ☐ English Translation of Reissue Oath/Declaration  
(if applicable)
- ☒ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- Other: See Attachment to  
PTO/SB/50 (02-01)

### 18. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label



Correspondence address below

(Insert Customer No. or Attach bar code label here)

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NAME (Print/Type)	Herbert L. Allen	Registration No. (Attorney/Agent)	25,322
Signature	<i>Herbert L. Allen</i>	Date	3/15/02

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231.

US PTO  
10/09860/01  
03/15/02

# REISSUE LITIGATION

## ATTACHMENT TO PTO/SB/50 (02-01) - OMB 0651-0033

OTHER ACCOMPANYING APPLICATION PARTS INCLUDE THE FOLLOWING:

- ☒ Statement Under MPEP 1442.02 Regarding Concurrent Litigation
- ☒ Request for Transfer of Drawings

03/15/02

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3/15/02  
Date

Signature of Applicant, Attorney or Agent of Record

Herbert L. Allen

Typed or printed name

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# REISSUE LITIGATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application for **Patent No. 5,711,100** of:

**WILLIAM A. ELMER**

Serial No. **74/598**

Filing Date: **June 14, 1993**

Issue Date: **January 27, 1998**

For: **VEHICLE ADVERTISING SIGN, SYSTEM AND METHOD**

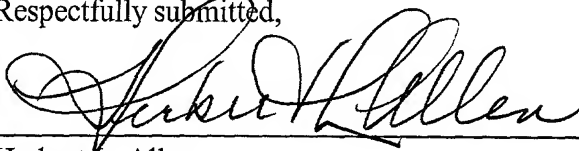
Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

### STATEMENT UNDER MPEP 1442.02 REGARDING CONCURRENT LITIGATION

Applicant for reissue hereby states that there is ongoing litigation concurrent with this reissue application. To date, a law suit relating to the above-identified U.S. Patent No. 5,711,100 has been filed in the United States District Court for the Middle District of Florida, Case No. 6:01-cv-673-Orl-28JGG for William A. Elmer v. Goldenrod Pizza, LLC, a Florida Limited Liability Company, d/b/a "East of Chicago Pizza"; and Auto Sox USA, Inc., a Washington corporation. Applicant intends to request a stay of the litigation pending the outcome of this application, and therefore requests that the examination of this application be expedited.

Respectfully submitted,



Herbert L. Allen

Reg. No. 25,322

Allen, Dyer, Doppelt, Milbrath & Gilchrist, P.A.

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Orlando, Florida 32802

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Attorney for Applicant

# REISSUE LITIGATION

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that the foregoing is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10, addressed to the Assistant Commissioner for Patents, Washington D. C. 20231, Express Mail No. EL 768 537 763 US , this 15<sup>th</sup> day of March, 2002.

Karlene Pile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Patent Application for Patent No. 5,711,100 of:

**WILLIAM A. ELMER**

Serial No. 74/598

Filing Date: June 14, 1993

Issue Date: January 27, 1998

For: **VEHICLE ADVERTISING SIGN, SYSTEM AND METHOD**

Asst. Commissioner for Patents  
Washington, D.C. 20231

Sir:

**REQUEST FOR TRANSFER OF DRAWINGS**

Applicant for reissue hereby requests transfer of the official drawings contained in the file of the above-identified Patent No. 5,711,100 to the present application for reissue.

Please charge all costs incurred by reason of the above request to Deposit Account No. 01-0484.

Respectfully submitted,



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Attorney for Applicant

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